

FORM-BASED CODE COMMITTEE **MINUTES**

July 27, 2018

The duly advertised meeting of the Form-Based Code Committee was held on July 27, 2018, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Heidi Hefferlin called the meeting to order. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Chair Heidi Hefferlin, Jason Havron, Grace Frank, Matthew Whitaker, and Ladell Peoples

Members Absent: William Smith

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer, and City Attorney Harolda Bryson.

Applicants Present: Patrick Jackson, Sandra Dahl, and Jim Teal / Ortwein Sign and Carl Webb.

Applicants Absent: Chad Moore / Certified Lighting

Approval of Minutes: Jason Havron made a motion to approve June 2018 minutes. Matt Whitaker seconded the motion. The motion was unanimously approved.

OLD BUSINESS: None

NEW BUSINESS

Case #18-FB-00023 – 1348 Passenger Street (District 8) – Sign

Project Description:

The applicant, Karen Wilson / DeNyse Signs, has applied for the following modification:

1. Allowance of skyline signage on a building that is only 4 stories tall.

Ms. Dixon presented the PowerPoint presentation. Ms. Dixon said a neighborhood meeting was not required because the property is too far away from a Neighborhood Association.

Patrick Jackson, of 1348 Passenger Street, addressed the Committee. Mr. Jackson represents the ownership group of the property. He said Ms. Dixon presented the case well. He said the hardship is a residential space that will be behind Main Street and having the skyline signage will be the only way he could market the business of the property. He said the overall project is a 45 million dollar development with 284 units. He said the sign at the side facing the Choo Choo is not illuminated and is a blue painted sign and the sign facing Main Street is illuminated.

Community Comments: None.

Discussion: Mr. Whitaker wanted to confirm if the applicants wanted two signs. Mr. Jackson said there are 2 signs, one will be facing the back of the Choo Choo Hotel and the other sign will face Main Street. Mr. Havron asked if the lighted sign will be facing Main Street. Mr. Jackson said yes. Ms. Dixon mentioned that the Committee has approved 56% of skyline signs and 44% disapproved. Mr. Havron asked if the Committee had previously approved a skyline sign for the property. Ms. Dixon said no, it was for the Moxy Hotel. Mr. Whitaker said the proposed sign is in keeping with the other approved skyline signs. Ms. Hefferlin said the proposed sign is set back at a long distance from the street, has individual lettering, and looks nice.

Jason Havron made a motion to approve Case #18-FB-00023 – 1348 Passenger Street, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions.

Conditions: None

Ladell Peoples seconded the motion. The motion was unanimously approved.

Case #18-FB-00024 – 818 E. Martin Luther King Boulevard (District 8) – Setbacks

Project Description:

The applicant, Sandra Dahl, has applied for the following modification:

1. Reduction of rear setback from 25' to 18'.

Ms. Dixon presented the PowerPoint presentation. Ms. Dixon said a neighborhood meeting was not required because the project is for a single family residential home. She said the applicant already has a deck and it is in compliance with Chapter 38 Zoning Code. She said because the applicant has applied to cover the deck, it will bring it out of compliance with the setback requirements, which is why the case is being heard before the Committee. She said the hardship is listed as small lot size at 84 feet deep

Sandra Dahl, of 818 E. Martin Luther, addressed the Committee. Ms. Dahl said Ms. Dixon's PowerPoint presentation covered everything that is being requested. Ms. Dixon said she researched the approval rate by the Committee for similar projects to Ms. Dahl's and it is at 58% for single family residential homes.

Community Comments: None.

Discussion: Ms. Frank asked if the deck has been existing. Ms. Dahl said yes and because she had to cut down a huge tree there is no longer any shade over the deck and covering the deck will allow her to use it. Mr. Peoples asked Ms. Dahl if there were any structures on the parcel that she owns next door. Ms. Dahl said no. Ms. Hefferlin said based on the PowerPoint presentation, Ms. Dahl would have access and adequate room to park vehicles in the rear of property and is not against the request for a reduction for the rear setback.

Matt Whitaker made a motion for to approve Case #18-FB-00024 – 818 E. Martin Luther King Boulevard, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions.

Conditions: Allowed due to small lot size.

Jason Havron seconded the motion. The motion was unanimously approved.

Case #18-FB-00025 – 541 W. 21st Street (District 7) – Sign

Project Description:

The applicant, Jim Teal / Ortwein Sign, has applied for the following modifications:

1. Reduction of monument sign setback from 18' to 0'.
2. Allowance of a monument sign for a new building.

Ms. Dixon presented the PowerPoint presentation. Ms. Dixon said they were too far away from a neighborhood to need a neighborhood association meeting.

Jim Teal, of 2806 E. 50th Street, addressed the Committee. Mr. Teal is the owner of Ortwein Sign and is the sign contractor for the property in question. He said the clients are requesting the monument sign to identify the business and to provide direction for clients coming to the dental office. He said the location has been proposed on the near the parking lot to direct the clients to the parking lot designated for the building rather than to another section of the area. He said there are utility issues which prohibits the sign being placed on the far side of the building. He said the sign is less than 60 square feet.

Cari Webb, of 541 W. 21st Street, addressed the Committee. Ms. Webb said the business need directional cues to get their clients to the proper building.

Community Comments: None.

Discussion: Ms. Hefferlin asked Ms. Dixon where the applicants would be required to place the sign if they treated the building as existing prior to Form-Based Code. Mr. Dixon said the applicant would be allowed to do a monument sign at the 18 foot setback requirement if the building would be considered existing. She said each property is allowed one monument sign. Ms. Webb said there is a retention pond on both sides of the building which makes it difficult for the monument sign to be placed there. **Carl Webb, of 541 west 21st street, addressed the Committee.** Mr. Webb is the dentist of the business. He said there is a retention pond and it goes against the highway and 21st street and goes along the building. He said the retention pond is underground and there is drainage on the opposite side of the building and the storm water drains onto 20th Street. 21st Street is almost like an alley. He said those are some of the hardships for putting a directional and advertisement sign on the more desired sides of the building for Form-Based Code. He said he was not aware of the Form-Based Code requirements prior to making the plans for the monument sign. He said the monument sign will not have any lights and the intent is for daytime usage, due to his business hours. Mr. Whitaker asked if the size of the proposed monument sign meet the Form-Based Code requirements. Ms. Dixon said yes. Mr. Whitaker said an 18 foot setback for a monument sign is not urban and would make more sense for the site in question. Ms. Dixon said the approval rate for

monument signs are 30%. She said the Committee needs to be extremely clear as to why the monument sign is being approved in the motion due to the lower percentage of approval for monuments.

Grace Frank made a motion to approve Case #18-FB-00025 – 541 W. 21st Street, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions.

Conditions: Variance requests allowed due to the building being built prior to Form-Based Code and because of the hardship of storm water drainage requirements not allowing signs to be placed in the location that interferes with storm water drainage.

Ladell Peoples seconded the motion. The motion was unanimously approved.

Case #18-FB-00026 – 625 E. Main Street (District 8) - Sign

Project Description:

The applicant, Chad Moore / Certified Lighting, has applied for the following modifications:

1. Reduction of monument sign setback from 18' to 10'.
2. Allowance of pole sign.

Ms. Dixon presented the PowerPoint presentation. Applicant did not need a neighborhood association meeting due to commercial space being less than 4000 square feet.

The applicant, Chad Moore / Certified Lighting or any other persons representing ownership for the 625 E. Main Street was not present at this meeting.

Community comments: None.

Discussion: The Committee said they looked at the PowerPoint presentation that had been submitted to them, by Ms. Dixon, prior to the meeting. Mr. Whitaker said he was ready to make a motion.

Matt Whitaker made a motion for Case #18-FB-00026 – 625 E. Main Street, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions.

Conditions: To approve the request for reduction of monument sign setback from 18' to 10' due to the hardship listed as visibility and must meet all the other Form-Based Code sign requirements. And to deny the request for allowance of a pole sign.

Grace Frank seconded the motion. The motion was unanimously approved.

Case #18-FB-00027 – 1110 Market Street (District 8) – Sign

Project Description:

The applicant, Chad Moore / Certified Lighting, has applied for the following modifications:

1. Allowance of skyline sign on a 3 story building.
2. Allowance of an additional skyline, for a total of 3 skyline signs.
3. Allowance of skyline signage longer than 50% of the top of the building.

Ms. Dixon presented the PowerPoint presentation. A meeting was required with MLK Neighborhood Association. She said the applicant said that they emailed MLK Association and the MLK Association turned down the applicants for a meeting. Ms. Dixon said she must contact the MLK Association to verify the statements made by the applicants.

The applicant, Chad Moore of Certified Lighting, or any other persons representing ownership for the 625 E. Main Street was not present at this meeting.

Community Comments: None.

Discussion: Mr. Whitaker said to the last time the Committee met, the Committee allowed a property to have two skyline signs on two sides. He said prior to that meeting the Committee had disapproved request similar to that. Ms. Dixon agreed with Mr. Whitaker. She said the big factor for the case Mr. Whitaker was referencing from the last meeting, was that the two skyline signs totaled 300 square feet. She said the proposed case being heard is exceeding the Form-Based Code requirements beyond the previously approved similar case. She said the request is not meeting the code requirements for a skyline sign. Mr. Whitaker said the proposed skyline signs are one sign too many for one side of the building. Ms. Hefferlin said the applicants did not provide a hardship for the skyline signs and they seem unreasonable. Mr. Whitaker said the request would be too many skyline signs on one face of the building and it would be hard to argue the precedent that would be set if it were allowed.

Jason Havron made a motion to deny Case #18-FB-00027 – 1110 Market Street, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions.

Conditions: Variance requests denied due to the proposed signage exceeding what Form-Based Code allows.

Matt Whitaker seconded the motion. The motion was unanimously approved.

OTHER BUSINESS: None.

NEXT MEETING DATE: August 9, 2018 (application deadline was July 13, 2018 at 4pm).

Matt Whitaker made a motion to adjourn. Jason Havron seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 2:44 p.m.

Heidi Hefferlin, Chair

Rosetta Greer, Secretary

Date

Date

9/13/18
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